

**TELFORD & WREKIN COUNCIL**

**SCRUTINY LEADERSHIP BOARD – 24<sup>th</sup> SEPTEMBER 2009**

**SCRUTINY OF THE SAFER & STRONGER COMMUNITIES PARTNERSHIP**

**REPORT OF THE HEAD OF FINANCE & AUDIT**

**1.0 PURPOSE**

- 1.1 The purpose of the report is to summarise the changes needed to the Council's scrutiny arrangements relating to scrutiny of the Crime & Disorder Reduction Partnership called locally the Safer & Stronger Communities Partnership as a result of Sections 19 and 20 of The Police & Justice Act 2006, as amended by Section 126 of the Local Government and Public Involvement In Health Act 2007.
- 1.2 And to propose how scrutiny of the Safer & Stronger Communities Partnership could be carried out.

**2.0 RECOMMENDATIONS**

- 2.1 **Members note the legislative requirements on the Council to implement a process for scrutinising the local Safer & Stronger Communities Partnership;**
- 2.2 **Members of the Scrutiny Leadership Board discuss and agree the arrangements proposed in this report for carrying out scrutiny of the Safer & Stronger Communities Partnership;**

**3.0 PREVIOUS MINUTES**

- 3.1 SLB 58 – Scrutiny Leadership Board 9<sup>th</sup> July 2009  
SLB 50 – Scrutiny Leadership Board 23<sup>rd</sup> June 2009

**4.0 REQUIREMENTS OF THE POLICE & JUSTICE ACT 2006 AND REGULATIONS**

- 4.1 The Police and Justice Act 2006, and the amendments made by the Local Government and Public Involvement in Health Act 2007, requires every local authority to have a crime and disorder committee with the power to review and scrutinise, and make reports and recommendations regarding the functioning of responsible authorities. These requirements were enacted by the Crime and Disorder (Overview and Scrutiny) Regulations 2009 that came into force for local authorities in England on 30<sup>th</sup> April 2009. The Home Office has produced guidance for local authorities and partners on implementing these requirements which is attached as appendix A.

- 4.2 All Authorities are required to create, or designate, a crime and disorder committee to deal with crime and disorder scrutiny. At Telford & Wrekin during the restructuring of scrutiny at the beginning of 2009 it was agreed that the Scrutiny Leadership Board would be designated to deal with crime and disorder scrutiny and the terms of reference were changed accordingly.
- 4.3 The Scrutiny Leadership Board is expected to:
- Consider actions undertaken by the responsible authorities on the Safer & Stronger Communities Partnership;
  - Make reports and recommendations to the local authority on the Safer & Stronger Communities Partnership
  - Include in its work programme a list of issues which it needs to cover during the year. This should be agreed with relevant partners and reflect community need;
  - Consider developing a short, flexible and meaningful protocol with partners from the Safer & Stronger Communities Partnership which lays down mutual expectations of scrutiny members and partners;
  - Meet at least once a year to discuss the Safer & Stronger Communities Partnership. The Home Office guidance suggests that scrutiny functions and partners should work together to come up with local solutions, which might form a combination of formal meetings, informal “task and finish” groups, or other methods of evidence gathering and public involvement.
- 4.4 If a local authority decides to undertake “set piece” community safety scrutiny only once a year, then the Home Office guidance suggests that this annual meeting could be in the form of an event looking at crime and disorder matters and discussing which crime and disorder matters should be considered in the next municipal year as matters of local concern. However, the guidance does indicate that the scrutiny function should consider community safety issues more consistently throughout the year, just as it would with any other subject matter;
- 4.5 The guidance suggests that scrutiny should consider co-opting additional members to take part in this scrutiny process. At the Scrutiny Leadership Board meeting on 23<sup>rd</sup> June 2009 Members agreed to adopt option 3 set out in the guidance for co-opting a police authority member onto the Scrutiny leadership Board when policing matters are being considered. Further to this decision, the Police Authority has nominated Cllr. Kuldip Sahota to become a co-optee in this capacity.
- 4.6 As part of the crime and disorder scrutiny process, the Scrutiny Leadership Board can require attendance (following reasonable notice) of any officer or employee or a responsible authority or co-operating person or body and request information (giving reasonable notice) from responsible authorities, co-operating persons or bodies. The information provided must be de-personalised, unless the identification of the individual is necessary or appropriate for the committee to properly exercise its powers. The information should also

not include information that would be reasonably likely to prejudice legal proceedings or current or future operations.

- 4.7 Once the Scrutiny Leadership Board has considered an issue its report or recommendations should be sent to all the key affected parties. The recipient of any such report/recommendations should respond within 28 days (or as soon as reasonable). The Police and Justice Act 2006 imposes a requirement on them to have regard to the report or recommendations in exercising its functions. The Guidance suggests that pre-circulation of draft reports and recommendations may smooth the process, increase ownership of the findings within the recipient organisation and consequently be more likely to influence change.

## **5.0 CRIME & DISORDER REDUCTION PARTNERSHIPS**

- 5.1 Crime & Disorder Reduction Partnerships (CDRPs) were introduced by the Crime & Disorder Act 1998. They exist to ensure that a number of prescribed “responsible authorities” work together to develop and implement strategies to reduce crime, disorder, anti-social behaviour, substance misuse and behaviour adversely affecting the local environment.

- 5.2 The responsible authorities have a duty to work in co-operation with the “co-operating bodies” who are probation, parish and town councils, NHS Trusts, NHS Foundation trusts, proprietors of independent schools and governing bodies of an institution within the further education sector.

- 5.3 The CDRP for Telford & Wrekin is known as the Safer & Stronger Communities Partnership. The Partnership consists of the following representatives from each of the responsible authorities:

- Telford & Wrekin Council
- West Mercia Police
- Telford & Wrekin Primary Care Trust
- Shropshire Fire & Rescue Service
- West Mercia Police Authority

- 5.4 The Safer and Stronger Communities Partnership is required to carry out a number of main tasks. Including:

- Preparing an annual strategic assessment. This is a document identifying the crime and community safety priorities in the area, through analysis of information provided by partner agencies and community;
- producing a partnership plan, laying out the approach for addressing those priorities;
- undertaking community consultation and engagement on crime and disorder issues; and
- sharing information among the responsible authorities within the Safer & Stronger Communities Partnership.

## **6.0 SUGGESTIONS FOR CARRYING OUT SCRUTINY OF THE SAFER & STRONGER COMMUNITIES PARTNERSHIP**

6.1 The Council and its partners have a long established working arrangements and relationships. It is important that the new scrutiny powers to scrutinise the Safer & Stronger Communities Partnership are used to “add value” to the existing system and are not seen as an unnecessary level of bureaucracy.

6.2 The Home Office guidance notes that there are a variety of different approaches to scrutinising community safety issues:

- Policy development
- Contribution to the development of strategies
- Holding to account at formal hearings
- Performance management

6.3 Members of the Scrutiny Leadership Board will need to agree how to carry out scrutiny of the Safer & Stronger Communities Partnership. The following suggestions of how this could be done initially are listed below:

- Mainstreaming of community safety. The Government believes that Section 17 of the Crime & Disorder Act should be the principle vehicle for mainstreaming community safety. It is expected that Responsible Authorities build crime and disorder considerations into their governance and decision making processes, policies, strategies, plans, budgets and the delivery of key services.
- Scrutinising a cross cutting issue like anti social behaviour.

It is also proposed that a meeting of the Scrutiny Leadership Board with the Executive Board of the Safer & Stronger Communities Partnership is arranged to discuss and agree the agenda setting for scrutiny of the partnership going forward.

## **7.0 BACKGROUND PAPERS**

Home Office – National Support Framework – Delivering Safer and Confident Communities May 2009

**Report prepared by Alison Smith (Scrutiny Manager), Tel: (01952) 383113 and Alex Urka (Safer Communities Performance and Strategy Manager, Tel: (01952) 382109**

**TELFORD & WREKIN COUNCIL**

**SCRUTINY LEADERSHIP BOARD – 24 SEPTEMBER 2009**

**THE FORWARD PLAN**

**BRIEFING PAPER OF THE HEAD OF LEGAL SERVICES**

**1.0 PURPOSE**

- 1.1 At the Scrutiny Leadership Board meeting on 23 June 2009, some Members expressed dissatisfaction with the Forward Plan, and it was agreed that a paper be brought back to the Board with suggestions for possible improvements in layout and content.
- 1.2 This briefing paper also provides information about the function and purpose of the Forward Plan of Key Decisions.

**2.0 INFORMATION**

**2.1 Legal Requirement for the Forward Plan**

The Leaders of all local authorities operating executive arrangements have a statutory duty to prepare a forward plan of key decisions for the next four months. The forward plan must be updated on a monthly basis, and a new forward plan produced at least 14 days prior to the first day upon which it comes into effect.

The Regulations specify that the following information should be included in respect of each key decision listed in the Plan:

- the matter in respect of which the decision is made;
- the name of the decision-making body (ie the Cabinet);
- the date on which the decision is to be made;
- the identity of the principal groups or organisations whom the decision maker proposes to consult before making the decision;
- the means by which any consultation is proposed to be undertaken;
- contact details of a named person (usually an officer) to whom representations can be made in respect of that decision.

**2.2 Purpose of the Forward Plan**

The principal purpose of the Forward Plan is to give the public a longer term advance notification of key matters that are to be dealt with under executive (cabinet) arrangements. It was introduced by the Government as part of the access to information provisions that sought to make executive arrangements transparent and accountable to the public. By receiving notice of forthcoming decisions, the public would

have a chance to make representations to the decision maker before the decision was taken.

It is not the purpose of the Forward Plan to provide detailed information about each proposed key decision. It is designed to highlight the matters to be decided by the Cabinet, and to signpost any individual who requires more information or wishes to take part in consultation on that matter to the named Officer and/or Member contact for that item.

### **3.0 TELFORD & WREKIN FORWARD PLAN**

3.1 This Council's Forward Plan has been produced monthly since 2001. The information for each Forward Plan item relates directly to the information required by the Regulations (see 2.1 above). There is no scope to change these headings.

3.2 In terms of identifying the subject matter of each key decision, our Forward Plan contains a greater amount of information than that provided in the Plans of many other Councils. It should also be recognised that some Key Decisions relate to exempt information that will be dealt with confidentially by Cabinet. As the Forward Plan is a public document, care must be taken in ensuring that no sensitive information is included in the Purpose and Recommendations sections.

#### **3.3 Standard Items**

The Telford & Wrekin Plan does contain a number of "Standard Items", which appear in each Edition. These are used in situations when there are regular reports coming to Cabinet on a particular matter (eg: Woodside Regeneration, Local Development Framework, Financial Monitoring), so that report authors can rely on a generic heading in the Forward Plan rather than having to submit a separate entry for every report. However, it does not mean there are necessarily key decisions relating to all these items during any one Forward Plan period. While this may be more efficient operationally, it could be said that individual decisions under these "umbrella" headings are not always transparent. The "Standard Items" are not "set in stone" and are periodically reviewed.

**Members may wish to comment on the use of "Standard Item" headings in the Forward Plan.**

#### **3.4 Layout and Design**

The layout and design of the Forward Plan has been fine tuned over the last eight years. However, there are not many options as to how the Plan can be presented. It must show the key decisions to be taken over a four month period, and this is done chronologically. Under each month, the key decisions are listed alphabetically. One suggestion is that for each month the items could be split under Portfolio headings,

so it would be easier to find, for example, any items relating to Children & Young People. Another option is that in each month's Plan, the items that have been newly added could be highlighted in the index – so that they are more easily identifiable.

**Members views are welcome on the layout and design of the Forward Plan, and whether sub-dividing the items by Portfolio and/or identifying new items would make the document more “user friendly”.**

#### **4.0 RECOMMENDATIONS**

If the Scrutiny Leadership Board wish to suggest any amendments to the format of the Forward Plan, these will need to be in the form of a recommendation to the Leader of the Council.

Paper prepared by Phil Smith, Senior Democratic Services Officer  
(01952-383211)

**TELFORD & WREKIN COUNCIL**

**SCRUTINY LEADERSHIP BOARD – 24<sup>TH</sup> SEPTEMBER 2009**

**RECOMMENDATIONS FROM VFM SCRUTINY GROUP TO CABINET –  
TRANSPORT SERVICE REVIEW**

**REPORT OF THE HEAD OF FINANCE & AUDIT**

**1.0 PURPOSE**

- 1.1 To inform Members of the outcome of a meeting of the Value for Money Scrutiny Group held on 9<sup>th</sup> September 2009 at which the Transport Service Review report was considered.

**2.0 SUMMARY**

- 2.1 The Value for Money Scrutiny Group met on 9th September 2009. One of the items considered was the Transport Service Review report. Members of the VfM Scrutiny Group wish to make a number of recommendations to Cabinet following scrutiny of the report.

**3.0 CONCLUSIONS**

- 3.1 The VFM Scrutiny Group were disappointed that they were not directly consulted regarding the proposals prior to their presentation at Cabinet and did not have the opportunity to feed into the process.
- 3.2 The Group broadly welcomed the thrust of the Review, considering it to encapsulate the ethos of the VFM Scrutiny Group in maintaining or improving the standard of services whilst making savings.
- 3.3 Members felt a little uneasy with the terms of the contract and in particular whether the Council was obtaining best value for money from the fees payable to the consultants.

**4.0 RECOMMENDATIONS**

- 4.1 All future Service Review reports should be considered by the Value for Money Scrutiny Group prior to their consideration by Cabinet so that VfM Members' comments can be considered by Cabinet Members prior to final decisions being taken;**

- 4.2 The Group did not support the proposals for Post 16 travel given the comparatively low level of pupils accessing post 16 education, particularly in South Telford and wished to ensure that students and families were not disadvantaged by the Council requesting contributions towards transport costs;**
- 4.3 The Group echo the sentiments of the report with regard to, and stressed the importance of, a sympathetic and caring approach when dealing with potential redundancies and requested that necessary reductions in employee numbers be managed through redeployment and 'natural wastage' where-ever possible;**
- 4.5 The Group request that the services provided by Travel Link should continue to be provided (although not necessarily in the current form);**
- 4.6 The Group are concerned that transport provision for vulnerable people and looked-after children should be made in consultation with the Social Worker and that after reasonable challenge the final decision on the appropriate transport arrangements for these people should be made by the Social Worker;**
- 4.7 That the VfM group receive an update from the relevant Cabinet Member in 12 months time on progress made on implementation of the review;**
- 4.8 Once the initial package of service reviews have been completed, Members of the group would like to be consulted on the amount and basis of fees payable to consultants engaged to support any further service reviews.**



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# Scrutiny Review of Section 106 Planning Agreements

## SEPTEMBER 2009



Maintaining a high quality, attractive and sustainable environment - Maintaining a high quality, attractive and su



## Scrutiny Leadership Board – Forward Plan 2009-10

Date of meeting	Agenda items
12 <sup>th</sup> May 2009	<ul style="list-style-type: none"> <li>• Scrutiny Assembly 19<sup>th</sup> May</li> <li>• Chairman's update:               <ul style="list-style-type: none"> <li>○ Away day</li> <li>○ Charing arrangements for subgroups</li> </ul> </li> </ul>
<b>Additional meeting</b> 23 <sup>rd</sup> June 2009	<ul style="list-style-type: none"> <li>• Change to review order for Children &amp; Young people</li> <li>• Feedback from the Scrutiny Assembly on 19th May</li> <li>• Proposal for Introduction of Councillor Call for Action</li> <li>• Amendments to terms of reference for standing sub groups</li> <li>• To consider the options for co-opting from West Mercia police Authority onto SLB for scrutiny of crime &amp; disorder items</li> <li>• Chairman's update:               <ul style="list-style-type: none"> <li>Scrutiny and the media</li> <li>Report on urgent decisions by the Chairman</li> </ul> </li> </ul>
9 <sup>th</sup> July 2009	<ul style="list-style-type: none"> <li>• Consideration of further information on scrutiny suggestions from 12 May 2009 meeting</li> <li>• New legislation update</li> <li>• Appointment of members to the Joint health Scrutiny Committee with Shropshire, Staffordshire and Stoke</li> <li>• 6 Monthly review of new scrutiny arrangements</li> </ul>
16 <sup>th</sup> Sep 2009	<ul style="list-style-type: none"> <li>• Update on TSLEC</li> <li>• Preparation for Scrutiny Assembly meeting on 12<sup>th</sup> October 2009</li> <li>• Surface Water Drainage – to consider inclusion in the programme as an in-depth review</li> <li>• Draft Scrutiny Annual Report for Full Council on 30<sup>th</sup> September 2009</li> <li>• Scrutiny Review Reports for approval – Procurement</li> </ul>
<b>24<sup>th</sup> September 2009 – additional meeting</b>	<ul style="list-style-type: none"> <li>• To receive presentation on employee survey results</li> <li>• CDRP scrutiny</li> <li>• Scrutiny and the media</li> <li>• Report on the Council's Forward Plan</li> <li>• Preparation for Scrutiny Assembly on 12<sup>th</sup> October 2009</li> <li>• Update on implementation of past recommendations</li> <li>• Scrutiny Review Reports for approval – Section 106</li> <li>• Scrutiny Work Programme Event</li> <li>• Value For Money Sub Group recommendations on Transport Services Review</li> </ul>
19 <sup>th</sup> Nov 2009	<ul style="list-style-type: none"> <li>• Update on First Point recommendations</li> <li>• Scrutiny Lead member appraisals</li> <li>• Scrutiny Review reports – Bus Services and Housing &amp; Homelessness</li> </ul>
14 Jan 2010	<ul style="list-style-type: none"> <li>• Work Programme decisions following Scrutiny Assembly</li> <li>• To receive update on actions to address issues from employee survey</li> </ul>
25 <sup>th</sup> Mar 2010	<ul style="list-style-type: none"> <li>• Preparation for Scrutiny Assembly performance meeting</li> </ul>

	<ul style="list-style-type: none"><li>• CDRP scrutiny</li></ul>
<b>13<sup>th</sup> May 2010</b>	

### **Standing Items**

- Chairman's Update
- Scrutiny Suggestions
- SLB Forward Plan
- Council Forward Plan
- Progress on reviews
- Recommendations from scrutiny reviews/sub-groups etc.